

Summary Table of Key Exemptions for Development Projects

	Type		Location			Project Size Limit			Community Planning			Environmental Review	
	Approval	Project	Jurisdiction	Site Type	Transit Proximity	Lot Size	Unit Cap	Sq.ft. Cap	Local Plan Consistency	SB 375 Plan Consistency	Zoning Consistency	Tiering	Env. Considerations
MINISTERIAL PROJECTS: PRC 21080(b)(1)	Ministerial	Any	Any	Any	Any	No limit	No limit	No limit	Ministerial projects must be consistent with applicable local requirements	Not required	Ministerial projects must be consistent with applicable local requirements	Not required	Not required
HOUSING ELEMENT DEFICIENCY: Gov Code 65583(c)(1), 65583.2(i)	Ministerial (design review is permitted)	Residential (If the city or county's housing element fails to identify adequate sites to accommodate the need for housing for all household income levels)	Cities and Counties	Any	Any	No limit	No limit	No limit	Ministerial projects must be consistent with applicable local requirements	Not required	Ministerial projects must be consistent with applicable local requirements	Not required	Not required
VOTER INITIATIVE: CEQA Guidelines 15378(b)(3)	Ministerial (voter approval or direct adoption of voter-sponsored initiative)	Legislative approvals for any project (but not administrative or executive actions such as the granting or denial of a CUP)	Any	Any	Any	No limit	No limit	No limit	Not required	Not required	Not required	Not required	Not required
IN-FILL DEVELOPMENT CATEGORICAL EXEMPTION: CEQA Guidelines 15332	Discretionary	Any	Cities only	Substantially surrounded by urban uses	Any	No more than 5 acres	No limit	No limit	Must be consistent with applicable General Plan requirements	Not required	Must be consistent with zoning requirements	Not required	Required (see CEQA Guideline 15332 and categorical exemption standards generally)
SPECIFIC PLAN EXEMPTION: Gov Code 65457	Discretionary	Residential Only	Any	Any	Any	No limit	No limit	No limit	Must be consistent with applicable Specific Plan	Not required	Not required	Effects must be addressed in EIR for the specific plan	<-- See tiering
SB 743 SPECIFIC PLAN EXEMPTION: PRC 21155.4	Discretionary	Residential, mixed-use, and employment center projects	Any	Any	1/2 mile from qualifying transit (in TPA)	No limit	No limit	No limit	Must be consistent with applicable Specific Plan	SCS / APS consistency required	Not required	Effects must be addressed in EIR for the specific plan	<-- See tiering
SB 226 STREAMLINING FOR INFILL PROJECTS: PRC 21094.5 / CEQA Guidelines 15183.3	Discretionary	Residential and qualifying retail, commercial, office, and public projects (Benefits provided for residential or mixed-use projects including up to 300 residential units all affordable to low income household)	City or unincorporated area meeting population standards	Urban Site (previously developed or 75% surrounded by development)	Varies based on project type	No limit	No requirement	No commercial floorplate over 50,000 sq.ft.	See tiering -->	SCS / APS consistency required or is a small walkable community project	Not required	Effects must be addressed in EIR for planning level decision and/or uniformly applicable development policies or standards substantially mitigate the effects	Required (see CEQA Guidelines 15183.3(d) and Appendix M requirements)

Summary Table of Key Exemptions for Development Projects (continued)

	Approval	Project	Jurisdiction	Site Type	Transit Proximity	Lot Size	Unit Cap	Sq.ft. Cap	Local Plan Consistency	SB 375 Plan Consistency	Zoning Consistency	Tiering	Env. Considerations
EXISTING FACILITIES CATEGORICAL EXEMPTION: CEQA Guidelines 15301	Discretionary	Alterations to existing public or private structures	Any	Any, but requirements change based on area type	Any	No limit	Generally only covers additions, replacement, and renovation.	Up to 10,000 sq.ft. addition for commercial projects subject to conditions	Not required	Not required	Not required	Not required	Required (see CEQA Guideline 15301 and categorical exemption standards generally)
NEW CONSTRUCTION OF SMALL STRUCTURES CATEGORICAL EXEMPTION: CEQA Guidelines 15303	Discretionary	Small residential, retail, commercial, office, and public projects	Any	Any, but requirements change based on area type	Any	No limit	Up to 6 Residential Units (subject to conditions)	Generally up to 10,000 sq.ft. addition subject to conditions	Not required	Not required	Not required	Not required	Required (see CEQA Guideline 15303 [must constitute a negligible or no expansion of an existing use], see also categorical exemption standards generally)
HISTORICAL RESOURCE RESTORATION/REHABILITATION CATEGORICAL EXEMPTION: CEQA Guidelines 15331	Discretionary	Rehabilitation, restoration, preservation, etc. of historical resources (Note: Rehabilitation may include exterior and interior alterations - see, e.g., Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings, p. 65.)	Any	Must be an historical resource	Any	No limit	No limit	No limit	Not required	Not required	Not required	Not required	Required (see categorical exemption standards generally)
SB 375 SUSTAINABLE COMMUNITIES PROJECT EXEMPTION: PRC 21155.1	Discretionary	Residential with up to 50% nonresidential uses subject to conditions (Benefits provided for projects where 20% are sold to families of moderate income, 10% are rented to low income, or 5% are rented to very low income)	Any	Any	1/2 mile of transit or ferry or 1/4 mile qualifying bus service	No more than 8 acres	No more than 200 residential units	No single story building over 75,000 sq. ft.	See tiering -->	SCS / APS consistency required	Not required	All applicable mitigation measures or performance standards or criteria set forth in prior environmental impact reports must be adopted	Required (see PRC 21155.1)
AGRICULTURAL EMPLOYEE HOUSING EXEMPTION: PRC 21159.22	Discretionary	Residential (Project must meet specified affordable housing requirements and be developed for agricultural employees)	Any	Any, requirements change based on area type	Any	Up to 5 acres (depending on area type)	Up to 45 residential units (subject to conditions)	No limit	Must be consistent with applicable General Plan requirements (as well as any applicable specific plan and local coastal program)	Not required	Must comply with zoning requirements (unless a zoning provision is inconsistent with general plan)	Community-level environmental review must have been adopted or certified	Required (see PRC 21159.21 and 21159.22)

Summary Table of Key Exemptions for Development Projects (continued)

	Approval	Project	Jurisdiction	Site Type	Transit Proximity	Lot Size	Unit Cap	Sq.ft. Cap	Local Plan Consistency	SB 375 Plan Consistency	Zoning Consistency	Tiering	Env. Considerations
LOW-INCOME HOUSING EXEMPTION: PRC 21159.23	Discretionary	Residential with up to 15% non-residential building sq. ft. (Project must be affordable to low-income households)	Any	Urban Site (previously developed or 75% surrounded by development plus other conditions)	Any	No more than 5 acres	No more than 100 residential units	No limit	Must be consistent with applicable General Plan requirements (as well as any applicable specific plan and local coastal program)	Not required	Must comply with zoning requirements (unless a zoning provision is inconsistent with general plan)	Community-level environmental review must have been adopted or certified	Required (see PRC 21159.21 and 21159.23)
INFILL HOUSING EXEMPTION: PRC 21159.24	Discretionary	Residential with up to 25% of non-residential building sq. ft. (Benefits provided for projects where at least 10% of units are sold to families of moderate incomes, 10% are rented to low income, or 5% are rented to very low income)	Any	Qualifying Cities or Counties and on an urban site (previously developed or 75% surrounded by development plus other conditions)	1/2 mile of qualifying transit	No more than 4 acres	No more than 100 residential units	No single story building over 100,000 sq.ft.	Must be consistent with applicable General Plan requirements (as well as any applicable specific plan and local coastal program)	Not required	Must comply with zoning requirements (unless a zoning provision is inconsistent with general plan)	Community-level environmental review must have been adopted or certified (and no more than 5 years old)	Required (see PRC 21159.21 and 21159.24)